

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS - RICHMOND REGION
COUNCIL 4614, ELIUD BONILLA,
LUCIANA FREEMAN, and ABBY JO
GEARHART,

Plaintiffs,

v.

PUBLIC INTEREST LEGAL FOUNDATION
and J. CHRISTIAN ADAMS,

Defendants.

Civil Action No. 1:18-cv-00423 (LO/IDD)

PLAINTIFFS' OBJECTIONS / COUNTER DESIGNATIONS TO DEFENDANTS'
PROPOSED DEPOSITION DESIGNATIONS

Pursuant to this Court's Order, Dkt. No. 163, Plaintiffs, by counsel, respectfully submit Plaintiffs' Objections and Proposed Counter Designations to Defendants' Proposed Deposition Designations, which were filed on May 17, 2019, Dkt No. 154.

The parties have agreed to reserve the right to object to counter designated testimony prior to the commencement of trial.

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141	13	141	21	401/402 - Relevance
141	22	142	9	602 – Foundation; Calls for Speculation
142	13	142	23	602 - Foundation; Form; Calls for Speculation
143	1	143	1	602 – Foundation; Calls for Speculation
143	4	143	7	602 - Foundation; Speculation; Improper Lay Testimony
143	15	143	19	401/402 - Relevance
143	23	144	1	401/402 - Relevance; 602 - Foundation
144	13	145	4	602 - Foundation
145	5	145	22	801/07 - Hearsay; 602 - Foundation
153	6	153	12	401/402 - Relevance; 403 - Prejudice
154	15	155	8	401/402 - Relevance

Defendants' Designations (Levitt) – Objections				
Page Start	Line Start	Page End	Line End	Objection
155	20	156	22	401/402 - Relevance
156	24	157	23	401/402 - Relevance; Improper Lay Opinion
158	6	160	4	401/402 - Relevance; Improper Lay Opinion
160	3	160	4	Form
160	8	161	8	401/402 - Relevance; Improper Lay Opinion
161	16	163	11	401/402 - Relevance; Improper Lay Opinion
166	10	170	5	401/402 - Relevance
170	21	171	1	401/402 - Relevance
172	9	173	15	401/402 - Relevance
173	16	174	11	401/402 - Relevance
174	20	175	3	401/402 - Relevance; 403 - Prejudice
175	23	176	3	403 - Prejudice; 602 - Foundation
176	25	177	5	401/402 - Relevance; 403 - Prejudice
177	6	177	20	401/402 - Relevance
177	14	177	20	801/07 - Hearsay
177	24	178	19	401/402 - Relevance
178	20	179	2	401/402 - Relevance
178	24	179	2	Form
179	4	179	8	401/402 - Relevance
179	10	180	19	401/402 - Relevance
181	9	181	20	401/402 - Relevance; Improper Lay Opinion
181	18	181	20	Form
181	24	182	4	Improper Lay Opinion
181	24	182	4	Form
182	5	182	15	401/402 - Relevance; Improper Lay Opinion
183	14	183	17	Form
184	14	184	16	Form
184	19	184	19	Form
190	21	190	25	403 - Prejudice
191	11	192	10	401/402 - Relevance
192	11	192	24	401/402 - Relevance
193	3	194	11	401/402 - Relevance; 403 - Prejudice
194	12	194	23	401/402 - Relevance; 403 - Prejudice
194	24	195	16	401/402 - Relevance; 403 - Prejudice
196	6	198	5	401/402 - Relevance; 403 - Prejudice
198	11	199	14	401/402 - Relevance; 801/07 - Hearsay; Improper Lay Opinion
200	16	200	22	401/402 - Relevance
201	18	205	3	401/402 - Relevance
205	17	205	18	401/402 - Relevance
205	23	207	2	401/402 - Relevance; 403 - Prejudice

Defendants' Designations (Levitt) – Objections				
Page Start	Line Start	Page End	Line End	Objection
211	12	211	21	602 - Foundation; Form
212	9	212	14	602 - Foundation; Form
212	17	213	1	602 - Foundation; Form
213	2	214	2	401/402 - Relevance; 403 - Prejudice
214	3	214	15	401/402 - Relevance; 801/07 - Hearsay; Improper Lay Opinion
218	15	219	3	401/402 - Relevance; 403 - Prejudice; Improper Lay Opinion
220	18	221	23	401/402 - Relevance

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113:23 - 114:4	
127:9 - 127:12	
146:8 - 146:16	
176:4 - 176:24	
183:7 - 183:9	
189:22 - 189:25	
205:4 - 205:16	
209:12 - 209:13	
209:19 - 210:21	
210:22 - 211:11	
221:24 - 222:10	

Defendants' Designations (Piper) —Objections				
Page Start	Line Start	Page End	Line End	Objection
157	8	157	9	Not testimony
160	6	161	7	401/402 - Relevance; 403 - Prejudice
168	11	171	10	401/402 - Relevance
171	18	172	9	401/402 - Relevance
172	14	172	15	Not testimony
173	2	174	3	401/402 - Relevance; 602 - Foundation
177	1	179	15	401/402 - Relevance
190	8	190	25	602 - Foundation
193	20	194	16	401/402 - Relevance
195	23	196	13	401/402 - Relevance
196	25	197	9	602 - Foundation
197	20	198	8	401/402 - Relevance; 602 - Foundation

Defendants' Designations (Piper) —Objections				
Page Start	Line Start	Page End	Line End	Objection
198	14	199	21	401/402 - Relevance; 602 - Foundation; Beyond scope of 30(b)(6)
200	4	200	25	401/402 - Relevance
201	11	203	1	401/402 - Relevance
210	10	210	11	Not testimony
217	11	218	18	602 - Foundation
219	4	219	9	401/402 - Relevance
220	6	220	22	602 - Foundation
220	23	221	10	401/402 - Relevance

Defendants' Designations (Schneider) -- Objections				
Page Start	Line Start	Page End	Line End	Objection
9	2	9	3	Not testimony
26	20	27	2	403 - Prejudice; 801/07 - Hearsay; 602 - Foundation
29	23	32	1	602 - Foundation
34	20	36	5	401/402 - Relevance

Plaintiffs' Counter Designations (Schneider)	
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45:20 - 46:4	

Defendants' Designations (Sears)— Objections				
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62	13	62	14	Not testimony
73	3	73	25	401/402 - Relevance
78	8	78	17	401/402 - Relevance; 602 - Foundation
87	7	87	21	401/402 - Relevance
96	19	96	20	Not testimony
97	19	99	3	401/402 - Relevance; 602 - Foundation
100	3	101	3	401/402 - Relevance; 602 - Foundation
101	15	102	1	401/402 - Relevance; 602 - Foundation
102	10	103	13	401/402 - Relevance; 602 - Foundation
103	20	104	3	401/402 - Relevance; 602 - Foundation
104	7	104	8	Not testimony
106	11	106	14	602 - Foundation
106	17	106	17	602 - Foundation
107	4	107	11	602 - Foundation
107	14	107	15	602 - Foundation

Defendants' Designations (Sears)– Objections				
Page Start	Line Start	Page End	Line End	Objection
129	5	129	19	602 - Foundation
129	23	130	10	602 - Foundation
134	11	134	17	602 - Foundation
135	16	135	22	602 - Foundation
135	25	136	18	602 - Foundation
137	5	138	6	602 - Foundation
138	8	139	1	602 - Foundation

Defendants' Designations (Wheeler) – Objections				
Page Start	Line Start	Page End	Line End	Objection
249	22	250	1	401/402 - Relevance
250	2	250	6	401/402 - Relevance
250	7	250	10	401/402 - Relevance
250	11	251	1	401/402 - Relevance
251	2	251	18	401/402 - Relevance
251	19	252	11	401/402 - Relevance
251	25	252	6	801/07 - Hearsay
252	13	252	21	401/402 - Relevance
253	17	253	22	401/402 - Relevance; 602 - Foundation; Form
253	25	254	3	401/402 - Relevance; 602 - Foundation; Form
254	4	254	10	602 - Foundation; 611 - Leading Questions
255	13	255	18	602 - Foundation
256	3	256	14	602 - Foundation; 611 - Leading Questions; Form
256	16	256	20	602 - Foundation; 611 - Leading Questions; Form
256	22	257	9	602 - Foundation; 611 - Leading Questions; Form
257	11	257	17	602 - Foundation; 611 - Leading Questions; Form
258	3	258	8	602 - Foundation
258	3	258	8	611 - Leading Questions
258	13	259	11	602 - Foundation
258	13	259	11	611 - Leading Questions
259	12	259	24	602 - Foundation
259	12	259	24	611 - Leading Questions
260	18	261	12	401/402 - Relevance; 611 - Leading Questions
261	20	262	5	611 - Leading Questions
262	6	262	10	611 - Leading Questions
263	11	264	9	401/402 - Relevance
264	10	264	24	401/402 - Relevance
264	25	265	23	401/402 - Relevance; 602 - Foundation

Defendants' Designations (Wheeler) – Objections				
Page Start	Line Start	Page End	Line End	Objection
266	17	266	22	602 - Foundation; 611 - Leading Questions
268	15	269	25	401/402 - Relevance; 403 - Prejudice
270	1	270	4	401/402 - Relevance
270	1	270	4	403 - Prejudice
270	5	270	13	401/402 - Relevance; 403 - Prejudice
270	14	270	19	401/402 - Relevance; 403 - Prejudice
270	20	271	11	401/402 - Relevance
270	20	275	18	403 - Prejudice
271	12	272	5	401/402 - Relevance
272	6	272	23	401/402 - Relevance
272	24	274	2	401/402 - Relevance
274	3	274	22	401/402 - Relevance
274	23	275	18	401/402 - Relevance
275	19	275	23	401/402 - Relevance; 403 - Prejudice
275	24	276	13	401/402 - Relevance; 403 - Prejudice
276	7	276	13	611 - Leading Questions
276	14	276	24	401/402 - Relevance; 403 - Prejudice; 611 - Leading Questions
276	25	277	10	401/402 - Relevance; 403 - Prejudice
276	25	277	10	801/07 - Hearsay
277	21	278	3	401/402 - Relevance; 403 - Prejudice; 611 - Leading Questions
278	4	278	14	401/402 - Relevance
278	4	279	13	403 - Prejudice
278	15	278	17	401/402 - Relevance
278	18	279	6	401/402 - Relevance
279	7	279	13	401/402 - Relevance
279	14	280	1	401/402 - Relevance; 801/07 - Hearsay
279	14	280	1	403 - Prejudice
280	2	281	11	401/402 - Relevance
281	12	281	21	401/402 - Relevance
281	22	282	4	401/402 - Relevance
283	7	283	13	602 - Foundation; 611 - Leading Questions
284	16	284	21	401/402 - Relevance; 403 - Prejudice; 611 - Leading Questions; Form
284	22	286	17	401/402 - Relevance; 403 - Prejudice
286	18	286	20	611 - Leading Questions; Form
286	18	286	20	401/402 - Relevance; 403 - Prejudice
286	23	287	2	611 - Leading Questions; Form
286	23	287	2	401/402 - Relevance; 403 - Prejudice

Defendants' Designations (Wheeler) – Objections				
Page Start	Line Start	Page End	Line End	Objection
287	4	287	8	611 - Leading Questions
287	4	287	8	401/402 - Relevance; 403 - Prejudice
289	13	289	21	403 - Prejudice; 602 - Foundation; Form
289	22	290	1	403 - Prejudice
289	22	290	1	611 - Leading Questions
290	2	290	6	401/402 - Relevance; Form
290	7	290	11	602 - Foundation; 611 - Leading Questions
291	11	291	14	801/07 - Hearsay
291	24	292	7	401/402 - Relevance; 403 - Prejudice; 602 - Foundation
292	8	292	19	801/07 - Hearsay
292	8	293	8	401/402 - Relevance
293	14	294	6	403 - Prejudice
293	14	294	6	401/402 - Relevance
294	7	296	2	401/402 - Relevance; 403 - Prejudice
296	22	297	19	401/402 - Relevance
297	20	300	3	401/402 - Relevance; 403 - Prejudice
300	4	300	17	401/402 - Relevance; 403 - Prejudice
301	13	301	21	401/402 - Relevance; Form
301	13	301	21	403 - Prejudice
301	23	301	24	401/402 - Relevance; Form
301	23	301	24	403 - Prejudice
302	1	302	24	401/402 - Relevance
305	6	306	1	401/402 - Relevance; 403 - Prejudice; 611 - Leading Questions
305	22	306	1	602 - Foundation
306	7	307	1	611 - Leading Questions
308	7	310	5	401/402 - Relevance
308	19	308	21	401/402 - Relevance
309	3	309	5	401/402 - Relevance
309	15	309	18	401/402 - Relevance
310	2	310	5	401/402 - Relevance
311	25	312	17	401/402 - Relevance
312	20	313	10	401/402 - Relevance
331	11	332	8	401/402 - Relevance

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Plaintiffs' Counter Designations (Wheeler)
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38:6 - 38:18
54:1 - 54:18
56:3 - 57:6
74:23 - 74:25
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76:17 - 77:13
77:24 - 78:1
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105:9 - 105:14
105:19 - 106:1
106:8 - 106:11
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165:24 - 167:7
167:10 - 167:17
202:19 - 205:4
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325:11 - 326:14
327:3 - 328:1

Dated: June 4, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Nicole M. Cleminshaw, hereby certify that on June 4, 2019, I electronically filed the foregoing Plaintiffs' Objections and Proposed Counter Designations to Defendants' Proposed Deposition Designations using the CM/ECF system, which shall send notification of such filing (NEF) to the following counsel of record:

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